

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EURO PACIFIC CAPITAL, INC., individually and in its capacity as Investor Representative and attorney-in-fact for ALEXANDER AND YANA GALUZ, AMY J. STEFANIK, ANN STRUVE, ANTHONY NAHUM, ART KLEPPEN AND KIMBERLY KLEPPEN, BARBARA ELLIS, BARBARA HEARST, BARBARA S. MEISTER, BENJAMIN R. EARL AND JONEE D. EARL, BERT JUDE HUNTSINGER, BLAKE AND LISA EVERETT, BRUCE FRANKLIN, BRUCE RAVENEL, BURT YANO AND PATRICIA YANO, CAROL COOPER, CAROLYN R. LONG, CHARLES BRABENAC, CHARLES M. CLAUSSEN AND MICHELLE S. CLAUSSEN, CHARLES SULLIVAN AND CAROL SULLIVAN, CHARLOTTE J. BELASCO, CHIN HSIAO, CINDY J. LEWIS, CLIFF WARD, COREY SHANNON MCNAMEE, CURTIS ANDREW BEESON AND BRENDA BATENBURG, CYNTHIA KESSLER AND JAMES KESSLER, DAMON SUTER AND MALINDA SUTER, DANIEL J. GRIFFIN, DARREL LEE KLOECKNER, DAVID ALAN SCULLY, DAVID W. LARSON AND JENNIFER L. LARSON, DEBORAH FOREMAN, DENNIS FRIED AND JOYCE FRIED, DIANE D. SPOLUM, DONALD GIRARD CLARK JR. AND DEBRA L. CLARK, DONALD T. GLASER JR., DOUGLAS W. JOHNSON, EDGAR SIMONS, EDWARD CHARLES MOHR, ELIZABETH RICHARDS, ELMIRA GADOL, FRANCIS BRENT MAY AND JONEITA JEAN MAY, FRANK CARDILE SR., FRED HARPER, GARY LEE BUKAMIER, GARY MARDER, GAYLE M. AND DEBORAH SANDERS, GEORGE FELDMAN, GEORGE K. CHING, GEORGE MADARAZ, GERALD AND BEVERLY R BARNE, GERALD MONA, GERARD SURERUS, GERSHOM LUNDBERG, GILBERT DOMINGUEZ, KENNETH RAY GLEASON, HARNEK THIARA AND TALWINDER THIARA, HEIDI W. KIENE AND KEVIN KIENE, HENRY LOUIS SCHAIRER JR., HOWARD W. WAHL, J. MARK MCPHERSON, JACK AND TAMI FINEGOLD, JACK ABRAMS AND MARGO ABRAMS, JAMES A. SHEAHAN AND MELODY K. SHEAHAN, JAMES A. TAMBORELLO, JAMES ALLEN LUTTER, JAMES CURTIS BROWN, JAMES D. DREYER JR., JAMES V. BACON, JASON HANDZA AND ALEXANDRA HANDZA, JASON L. RAWLINGS AND

Index No. 1:15-cv-04636-CM

**[PROPOSED] ORDER
GRANTING MOTION FOR
DEFAULT JUDGMENT**

LEANNE K. RAWLINGS, JEFF ARCHIBALD,
JEFFREY REISNER, JOANNE COLTRIN AND
ANDRE COLTRIN, JOHN MAVAR, JOHN T. KEALY
AND JANINE K. KEALY, JONATHAN EDWARDS
AND VIRGINIA C. ADAMS, JOSEPH MCCARTHY
AND MIKI MCCARTHY, JOSH D. BRADBURY, JR.,
SUSAN BRADBURY, JOSHUA SCHEIN, JULIA L.
GRIFFIN, JUSTIN KERENYI, KARL K. SPIELMAN
AND MELINDA G. ELKIN, KENNETH NASS, KENT
SCOTT AND LAURA SCOTT, KERRY LEE AND
HELEN WELSH, KEVIN P. O'NEILL AND SUZANNE
ODELL O'NEILL, KURT SWOGGER, LARRY
BRUNZLICK, LARRY E. GROFF AND DORIS R.
GROFF, LARRY GUAGLIARDO, LAURA D.
MCHUGH, LAWRENCE J. BUTZ, LAWRENCE
LEARY, LLOYD E. HENDRIX, LOUIS A. LARSON
AND PAMELA J. LARSON, MARC KASSIN, MARC
W. LEVIN, MARK A. OSTERHAUS, MARK DUGGER,
MARK R. MITCHELL, MARSHALL CARL RICE,
MARY HEINKING, MARY NEIBERG, MARYANN
MIGAS, MATT HAYDEN, MATTHEW C. AMERMAN
AND CARRIE AMERMAN, MEHRAN TASLIMI,
MICHAEL MATULA, MICHAEL SCULLY, MICHELLE
GRIFFIN, MIRIAM SCHWARTZ, MITCHELL MARTIN
AND DEBORAH MARTIN, NANCY L. BENSON,
NICOLAS KARAMAOUN, OLEKSANDR TUMKO
AND OKSANA TUMKO, PAMELA HARRINGTON
MUNRO, PAT BROWNE, PATRICK AND GLORIA
KIRK, PATRICK MULLEN, PAUL DIPAOLO AND
NANCY L. WORTHINGTON, PAUL E. SORGE JR.,
PAUL HARPER ZINK, PETER D. SCHIFF, PETER
SCHORTMANN AND SUSAN SCHORTMANN,
QUINCY MURPHY, RALPH DALE EDSON,
RANDELL SCOTT GLEASON AND MICHELE LEE
GLEASON, RICHARD MOORE, RICHARD P.
ANTHONY III AND KIMBERLY J. ANTHONY,
RICHARD POTAPCHUK,

ROBERT DAGGETT, ROBERT E. CATHRO,
ROBERT HEIMANN, ROBERT L. BISHOP AND
FRANCINE BISHOP, ROBERT NEAL SPADY AND
LINDA SPADY, ROBERT T. FOSS AND MARGARET
FOSS, ROD MCINTYRE, ROYCE V. JACKSON,
RUSSELL B.

WALKER, RUSSELL PARKER, SARAH J. BASLER
AND DONALD S. BASLER, SCOTT MUELLER,
SCOTT R. GRIFFIN, SCOTT R. LENNES, SHERRY
MORSE MACCABEE AND JOHN GREENBERGER
MACCABEE, SHIDAN TASLIMI, STANLEY J.
DRELICK, STEPHEN P. MCCARRON, STEPHEN
RASKIN, STEVE SMITH, STEVEN PAUL HARMS,
TERRY ALAN CREWS, TERRY OLSON AND LINDA
M. OLSON, THOMAS AARON LADNER, TIMOTHY
CARROLL, TIMOTHY CRANE, TIMOTHY NASS,
TIMOTHY WEAVER, TINA C. PETERSON AND
HENDRIKUS M. SCHRAVEN, TODD A. HANNON
AND MICHELLE L. HANNON, TONY BIZ AND
JEANNE C. LIM, VADA NOBLES, VINCE BACOLINI,
VIVEK GHAI, VLAJKO DJORDJEVIC, WALTER
FRIESEN, WILLIAM BRADLEY, WILLIAM J. CYR,
WILLIAM WILEY AND MARIANNE WILEY, WILLIS
DUNKUM III, YADIN ROZOV, and DOES 1-100,

Plaintiffs,

vs.

U.S. CHINA MINING GROUP, INC. and HONGWEN
LI,

Defendants.

WHEREAS, on June 16, 2015, Plaintiff filed the Summons and Complaint.

WHEREAS, on June 30, 2015, Plaintiff caused Li to be served with the
Summons and Complaint by leaving a copy at Li's residence or usual place of abode
with Jane Doe Li, a person of suitable age and discretion who resides at that location.
Copies were also placed in the United States mail, in a sealed envelope by First Class

mail with postage prepaid on July 7, 2015. Proof of such service was filed on July 23, 2015, Doc # 10.

WHEREAS, on July 10, 2015, Plaintiff caused USCM to be served with the Summons and Complaint by personally serving the Nevada Secretary of State at 202 N. Carson Street, Carson City, NV 89701. Proof of such service was filed on July 23, 2015, Doc. # 9.

WHEREAS, Defendants have not appeared in this action, and the time to appear or otherwise respond to the Plaintiff's Verified Complaint has expired.

WHEREAS, on September 11, 2015, the Clerk of this Court entered a default against Defendants for failure to appear pursuant to Fed. R. Civ. P. 55(a).

NOW, upon consideration of Plaintiff's Motion for Default Judgment, and the Affidavit of Christopher L. Ayers, Esq., sworn to on November 12, 2015, the exhibits attached thereto, and the papers and proceedings, it is

IT IS ORDERED, ADJUDGED, AND DECREED,

1. Plaintiff's Motion for Default Judgment is GRANTED; an order is entered in favor of Plaintiff Euro Pacific Capital, Inc., individually and in its capacity as Investor Representative, and attorney-in-fact for the individuals named in the above-captioned matter, and against the Defendants U.S. China Mining Group, Inc. and Hongwen Li on all claims for relief demanded in the Motion for Default Judgment and Verified Complaint together, with interest, costs, and attorneys' fees.

2. Plaintiff shall file Motion for Proof of Claim setting forth such proofs to determine the amount of Plaintiff's damages sustained, including affidavit(s) detailing the fees and costs incurred. The damages shall be assessed at an inquest hearing, at a time to be determined by the Court, and the Court shall enter judgment accordingly.

BY THE COURT:

Colleen McMahon
United States District Judge